

1                                   **WEST VALLEY CITY, UTAH**

2                                   **ORDINANCE NO. 08-19**

3   Draft Date:                3/11/2008

4   Date Adopted:            \_\_\_\_\_

5   Date Effective:          \_\_\_\_\_

6                           **AN ORDINANCE ENACTING A TEMPORARY LAND USE**  
7                           **REGULATION REGARDING FOOD CART VENDORS.**

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9           **WHEREAS**, West Valley City pursuant to Utah State Code Annotated 10-9a-504 has the  
10 authority, without prior consideration or recommendation, to enact an ordinance establishing a  
11 temporary land use regulation for any area within the City; and

12           **WHEREAS**, West Valley City through the City Council has determined that a  
13 compelling countervailing public interest exists in enacting this temporary land use ordinance to  
14 allow the City to investigate and examine how these uses impact the City and the businesses and  
15 property owners in the City; and

16           **WHEREAS**, the City Council of West Valley City, Utah, does hereby determine that it is  
17 in the best interests of the health, safety, and welfare of the citizens of West Valley City to enact  
18 this Temporary Land Use ordinance as set forth below.

19           **NOW, THEREFORE, BE IT ORDAINED** by the City Council of West Valley City,  
20 Utah, as follows:

21           **Section 1.     Repealer.** Any provision of the West Valley City Municipal Code found  
22 to be in conflict with this Ordinance is hereby repealed.

23           **Section 2.     Enactment.** The Temporary Land Use Ordinance Shall be enacted as  
24 follows:

25                   A.               As of the effective date of this Ordinance, all Food Cart Vendors,  
26                                       are prohibited, except those in existence as of the effective date of  
27                                       this Ordinance. The City may issue the appropriate permits for the  
28                                       alteration of existing Food Cart Vendors, however, in no event  
29                                       shall existing Food Cart Vendors be permitted to make alterations  
30                                       that would change the existing use to a prohibited use under this  
31                                       Ordinance.

32                   B.               This Ordinance shall become effective as set forth below and shall  
33                                       remain in effect for six months from the effective date.

34           **Section 3.    Severability.** If any provision of this Ordinance is declared to be invalid  
35 by a court of competent jurisdiction, the remainder shall not be affected thereby.

36           **Section 4.    Effective Date.** This Ordinance shall take effect immediately upon  
37 posting in the manner required by law.

**PASSED and APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

WEST VALLEY CITY

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER